

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 3:21-CR-107

JAMARR SMITH, et al.

**GOVERNMENT'S RESPONSE TO DEFENDANT'S  
MOTION FOR CONTINUANCE**

Comes now the United States of America, by and through the United States Attorney for the Northern District of Mississippi, and in response to defendant's Motion for Continuance would respectfully show unto the Court the following, to wit:

The trial of this matter is currently set for December 5, 2022.

On November 4, 2022, defendant Jamarr Smith filed a Motion to Suppress, which was subsequently joined by the other defendants. The government is preparing a written response to the Motion to Suppress. Due to the nature of the suppression motion, the motion, and the response, is longer than the briefing on typical suppression motions.

A hearing on the Motion to Suppress has been scheduled for November 29, 2022, just six days prior to the scheduled trial. It is unknown whether the court will rule from the bench or issue a written opinion. Even if the court were to rule from the bench on the date of the hearing, the time til trial is short. While the government understands that this matter has been pending for a while and has been continued multiple times, the government believes that it would be in everyone's best interests to have an opportunity to reevaluate their position in the case following the ruling on the Motion to Suppress.

Accordingly, the government not only has no objection to the defendant's request for a continuance, but would join in the motion.

Respectfully submitted, this the 10<sup>th</sup> day of November, 2022.

CLAY JOYNER  
United States Attorney

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 10, 2022, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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This the 10<sup>th</sup> day of November, 2022.

s/ Robert J. Mims  
ROBERT J. MIMS  
Assistant United States Attorney